IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

Crl.MC.No. 435 of 2007()

ST.546/2006 of JUDL.MAGISTRATE OF FIRST CLASS-I, KANJIRAPPALLY

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PETITIONER: ACCUSED 1 & 2:

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1. SOMATHEERAM AYURVEDIC BEACH
   RESORTS PVT.LTD.,REP. BY BABY MATHEW,
   MANAGING DIRECTOR, SOMATHEERAM AYURVEDIC BEACH
   RESORT PVT.LTD., CHOWARA P.O.,
   BALARAMAPURAM, TRIVANDRUM.

2. BABY MATHEW, MANAGING DIRECTOR,
   SOMATHEERAM AYURVEDIC BEACH RESORT PVT.LTD.,
   CHOWARA P.O., BALARAMAPURAM, TRIVANDRUM.

BY ADV. SRI.VARGHESE C.KURIAKOSE
SRI.PRAVEEN K. JOY

RESPONDENT/COMPLAINANT:

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1. STATE OF KERALA, REP. BY
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   REPRESENTING SUB INSPECTOR OF POLICE,
   VIZHANJAM, TRIVANDRUM.

2. JOSEPH ANTONY, S/O.ANTONY,
   MOOZHIKUNNEL HOUSE, KOOVAPPALLY P.O.,
   KANJIRAPPALLY.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER
SRI.ALEXANDER JOSEPH

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 28/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.No.435 of 2007

Dated this the 28th day of March 2007

O R D E R

The respondent has been served. He has now entered appearance through counsel. After discussions at the Bar, it is agreed that S.T.No.546 of 2006 can be directed to be transferred from the Judicial First Class Magistrate Court-I, Kanjirappally to the court of the learned Chief Judicial Magistrate, Kottayam. Though there is a prayer for quashing of proceedings, I find the said prayer to be not sustainable and there is no serious effort made before me to press that claim for premature termination of proceedings by invoking the powers under Section 482 Cr.P.C.

2. In the result, this Criminal Miscellaneous Case is allowed in part as agreed. S.T.No.546 of 2006 pending before the Judicial First Class Magistrate Court-I, Kanjirappally is transferred to the court of the learned Chief Judicial Magistrate, Kottayam. The parties shall appear before the court of the learned Chief Judicial Magistrate, Kottayam on 02/05/2007 without waiting for any further notice. The learned Judicial First Class Magistrate Court -I, Kanjirappally shall forthwith forward the records to the learned Chief Judicial Magistrate, Kottayam.

Communicate the order to both courts.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J

C.R.R.P.No.

ORDER

21ST DAY OF JULY 2006